IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 16731 of 2004

Between:

K.M. Safiullah, S/o Late K.M. Rahmatullah,
R/o Ramnagar, Ananthapur, Ananthapur District.

..... PETITIONER

AND

1 Government of Andhra Pradesh, Minorities Welfare Department,
Rep. by its Principal Secretary, Secretariat Buildings, Hyderabad.
2 A.P. State Wakf Board, rep. by its Chief Executive Officer, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of "Mandamus" declaring the action of the 1st respondent in initiating proceedings for superseding the 2nd respondent Board by issuing Notice in Memo No. 3640/Wakf-I/AI/2004 dated 2-9-2004 as being illegal, arbitrary and unconstitutional apart from being violative of the provisions of the Wakf Act, 1995 and being a colourable exercise of power and set aside the same and further direct the 1st respondent not to interfere with the functioning of the 2nd respondent Board in any manner.

Counsel for the Petitioner : MR.S.NIRANJAN REDDY

Counsel for the Respondent No.1 : GP FOR SOCIAL WELFARE

Counsel for the respondent No.2: Mr. K. Muralidhar Reddy.

The Court made the following :

ORAL ORDER:

(per Hon'ble The Chief Justice)

.....

1. Learned counsel for the petitioner states that now notice under Section 99 of Wakf Act has been served upon the petitioner and therefore nothing survives in the writ petition and it may be dismissed as withdrawn.

2. Writ petition is dismissed as withdrawn. Interim order dated 17.09.2004 stands vacated. No costs.

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DEVINDER GUPTA. C.J.,

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M. NARAYANA REDDY. J.,

Dated: 09.12.2004.

VRK.

To

1 The Principal Secretary to Government, Minorities Welfare Department,
Secretariat Buildings,
Hyderabad.
2 The Chief Executive Officer, A.P. State Wakf Board,
Hyderabad.

3. Two CCs to G.P. for Social Welfare, High Court Buildings, Hyderabad (OUT).

4. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE M. NARAYANA REDDY.

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W.P.NO. 16731 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 09.12.2004.